

IN THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the present application:

1. (currently amended) A method of operating a file server, comprising the steps of:  
receiving a ~~CIFS~~ network request at said file server; and  
recording a state at said file server at the time of said receiving ~~about~~ the request, said state including information regarding a persistent connection between said server and a client device;  
restoring said state of said file server upon reboot ~~as last recorded~~; and  
attempting to continue the ~~CIFS~~ network session between ~~at least one~~ said client device and said file server that the request was part of, wherein said step of recording state further comprises the step of determining whether recovery will be accomplished by rebooting the ~~affected~~ server or takeover by another server, wherein said steps of recording and restoring are transparent to said client device.
2. (currently amended) The method of claim 1, wherein said step of receiving a ~~CIFS~~ network transmission request also includes the steps of  
acknowledging receipt of said ~~CIFS~~ network request; and  
processing said ~~CIFS~~ network request.
3. (currently amended) The method of claim 1, wherein said step of recording state includes determining automatically whether the processing of a ~~CIFS~~ network request is at a point where said state can be reliably recorded.

4. (currently amended) The method of claim 3, wherein said step of recording state occurs at points based on the progress of processing of a CIFS network request.

5. (original) The method of claim 4, wherein said state is recorded to a non-volatile storage.

6. (currently amended) The method of claim 1, wherein said step of recording state at said file server occurs as part of an elective reboot or elective takeover of a server further comprising:  
ignoring current CIFS network requests;  
processing all active CIFS network requests; and  
recording state.

7. (original) The method of claim 6, wherein all currently active requests are processed to completion.

8. (original) The method of claim 1, wherein said step of recording state further comprises the step of determining whether said server shutdown was elective or non-elective.

9. (original) The method of claim 8, wherein said step of determining whether said server shutdown is elective or non-elective is a function of a flag value stored in said non-volatile storage.

10. (original) The method of claim 9, wherein said flag value indicates said server shutdown was elective.

11. (original) The method of claim 9, wherein said flag value indicates said server shutdown was non-elective.

12. (Canceled).

13. (currently amended) The method of claim 1, wherein said step of determining whether recovery will be accomplished by rebooting the **affected** server or takeover by another server is a function of said flag value stored in said non-volatile storage.

14. (currently amended) The method of claim 13, wherein said flag value indicates said recovery will be accomplished by rebooting the **affected** server.

15. (original) The method of claim 13, wherein said flag value indicates said recovery will be accomplished by takeover by another server.

16. (original) The method of claim 1, wherein said step of restoring state further comprises determining whether recovery is by reboot or takeover by another server.

17. (original) The method of claim 16, wherein said step of determining whether recovery is accomplished by reboot or takeover by another server is a function of said flag value stored in said non-volatile storage.

18. (currently amended) The method of claim 17, wherein said reboot comprises the steps of: rebooting the **affected** server's operating system; and  
rebuilding in-memory data structures to the state prior to said reboot.

19. (original) The method of claim 18, wherein said rebuilding in-memory data structures further comprises fetching the state stored in said non-volatile storage to rebuild said in-memory data structures.

20. (original) The method of claim 17, wherein said takeover comprises fetching the state stored in the non-volatile storage and rebuilding said in-memory data structures in another server using said state.

21. (original) The method of claim 1, wherein said step of attempting to continue the CIFS session that the request was part of further comprises the step of processing the remaining portion of the uncompleted request.

22. (currently amended) **Apparatus** An apparatus including[;]:  
means for receiving a CIFS request at a file server; and  
means for recording a state at said file server at the time of said receiving ~~about~~ the request; said state including information regarding a persistent connection between said server and a client device; and  
on reboot, restoring ~~state of~~ said file server to said state as last recorded; and  
means for attempting to continue the CIFS session between ~~at least one~~ said client device and said file server that the request was part of, wherein said step of recording state further comprises the step of determining whether recovery will be accomplished by rebooting the ~~affected~~ server or takeover by another server.

23. (original) The apparatus of claim 22, wherein said means for receiving a CIFS request includes a means for acknowledging receipt of said CIFS request and a means for processing the request.

24. (original) The apparatus of claim 22, wherein said means for recording state includes a means to determine automatically whether the processing of a CIFS request is at a point where said state can be reliably recorded.

25. (original) The apparatus of claim 24, wherein said means for recording state occurs at points based on the progress of processing of a CIFS request.

26. (original) The apparatus of claim 25, wherein said state is recorded to a non-volatile storage.

27. (original) The apparatus of claim 22, wherein said means for recording said state at said file server occurs as part of an elective reboot or elective takeover of a server further comprising:  
means for ignoring current CIFS requests;  
means for processing all active CIFS requests; and  
means for recording state.

28. (original) The apparatus of claim 27, wherein all currently active requests are processed to completion.

29. (original) The apparatus of claim 22, wherein said means for recording state further comprises a means for determining whether said server shutdown was elective or non-elective.

30. (original) The apparatus of claim 27, wherein said means for determining whether said server shutdown was elective or non-elective is a function of a flag value stored in said non-volatile storage.

31. (original) The apparatus of claim 30, wherein said flag value indicates said server shutdown was elective.

32. (original) The apparatus of claim 30, wherein said flag value indicates said server shutdown was non-elective.

33. (Canceled).

34. (currently amended) The apparatus of claim 22, wherein said means for determining whether recovery will be accomplished by rebooting the ~~affected~~ server or takeover by another server is a function of said flag value stored in said non-volatile storage.

35. (currently amended) The apparatus of claim 34, wherein said flag value indicates said recovery will be accomplished by rebooting the ~~affected~~ server.

36. (original) The apparatus of claim 34, wherein said flag value indicates said recovery will be accomplished by takeover by another server.

37. (original) The apparatus of claim 22, wherein said means for restoring state further comprises means for determining whether recovery is by reboot or takeover by another server.

38. (original) The apparatus of claim 37, wherein said means for determining whether recovery is by reboot or takeover by another server is a function of said flag value stored in said non-volatile storage.

39. (currently amended) The apparatus of claim 38, wherein said reboot further comprises:

means for rebooting the ~~affected~~ server's operating system; and  
means for rebuilding in-memory data structures to the state prior to said reboot.

40. (original) The apparatus of claim 39, wherein said means for rebuilding in-memory data structures further comprises fetching the state stored in said non-volatile storage to rebuild said in-memory data structures.

41. (original) The apparatus of claim 38, wherein said takeover comprises means for fetching the state stored in said non-volatile storage and rebuilding said in-memory data structures in another server using said state.

42. (original) The apparatus of claim 22, wherein said means for attempting to continue the CIFS session that the request was part of further comprises a means for processing the remaining portion of the uncompleted request.

43-47. (canceled)

48. (currently amended) Non-volatile memory of a server device, said non-volatile memory ~~having storage capable of holding storing~~ information, said information including;  
information identifying the state of a ~~first~~ the server device; and  
information identifying a flag value, said flag value indicating a previous operating mode  
said mode identifying an elective reboot of said ~~first~~ server device to be effected while  
attempting to continue any active CIFS sessions between the server device and one or more  
client devices.

49. (currently amended) Non-volatile memory of a server device, said non-volatile memory ~~having storage capable of holding~~ storing information, said information including;

information identifying the state of ~~a first~~ the server device; and

information identifying a flag value, said flag value indicating a previous operating mode said mode identifying a non-elective reboot of said ~~first~~ server device to be effected while attempting to continue any active CIFS sessions between the server device and one or more client devices.

50. (currently amended) Non-volatile memory of a server device, said non-volatile memory ~~having storage capable of holding~~ storing information, said information including;

information identifying the state of ~~a first~~ the server device; and

information identifying a flag value, said flag value indicating a previous operating mode said mode identifying an elective takeover of said ~~first~~ server device by a second device to be effected while attempting to continue any active CIFS sessions between the server device and one or more client devices.

51. (currently amended) Non-volatile memory of a server device, said non-volatile memory ~~having storage capable of holding~~ storing information, said information including;

information identifying the state of ~~a first~~ the server device; and

information identifying a flag value, said flag value indicating a previous operating mode said mode identifying a non-elective takeover of said ~~first~~ server device by a second device to be effected while attempting to continue any active CIFS sessions between the server device and one or more client devices.

52-53. (canceled)